

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

DAVID K. REIMERS

PLAINTIFF

v.

Civil No. 06-5128

BENTON COUNTY JAIL, UNIDENTIFIED
GUARD # 1, UNIDENTIFIED GUARD #2,
DEPUTY WILLIAM BLACKMON, DEPUTY
BARR, DEPUTY PATTERSON, and SGT.
CULOTTA

DEFENDANTS

ORDER

Plaintiff's complaint was filed in this case on July 12, 2006. Before the undersigned is the issue of whether the complaint should be served. In order to assist the court in making such determination, it is necessary that plaintiff provide additional information.

Accordingly, it is ordered that plaintiff, David Reimers, complete and sign the attached addendum to his complaint, and return the same to the court **by December 15, 2006. Plaintiff is advised that should he fail to return the completed and executed addendum by December 15, 2006, his complaint may be dismissed without prejudice for failure to prosecute and/or for failure to obey an order of the court.**

IT IS SO ORDERED this 17th day of November 2006.

/s/ Beverly Stites Jones
HON. BEVERLY STITES JONES
UNITED STATES MAGISTRATE JUDGE

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION

DAVID K. REIMERS

PLAINTIFF

v.

Civil No. 06-5128

BENTON COUNTY JAIL, UNIDENTIFIED
GUARD # 1, UNIDENTIFIED GUARD #2,
DEPUTY WILLIAM BLACKMON, DEPUTY
BARR, DEPUTY PATTERSON, and SGT.
CULOTTA

DEFENDANTS

ADDENDUM TO COMPLAINT

TO: DAVID K. REIMERS

This form is sent to you so that you may assist the court in making a determination as to the issue of whether the complaint should be served upon the defendants. Accordingly, it is required that you fill out this form and send it back to the court **by December 15, 2006**. Failure to do so will result in the dismissal of your complaint.

The response must be legibly handwritten or typewritten, and all questions must be answered completely in the proper space provided on this form. If you need additional space, you may attach additional sheets of paper to this addendum.

RESPONSE

In your complaint, you allege your rights were violated on March 8, 2006, when you were assaulted by Deputies Blackmon and Barr and Sergeant Coulotta. As a result, you contend that you sustained a head injury for which you have not received medical treatment.

1. In your complaint, you state that you were restrained at the time of the assault.

Please describe the method of restraint used.

Answer:

2. At the time of the alleged assault, were you cooperating with the officers?

Answer: Yes _____ No _____.

3. Do you contend that more force was used than was necessary to get you under control?

Answer: Yes _____ No _____.

If you answered yes, please explain.

4. Did you sustain any physical injuries as a result of this "attack"?

Answer: Yes _____ No _____.

If you answered yes, please explain the nature of your injuries.

5. Have you been treated by a doctor for any injuries sustained during this altercation?

Answer: Yes _____ No _____.

If you answered yes, please provide the name of the doctor, the date of the treatment, and your diagnosis or diagnoses.

6. Since your arrest, have you been denied any medical treatment?

Answer: Yes _____ No _____.

If you answered yes, please provide the date the request was made, to whom it was made, the reason for the requested treatment, and the reason given for the denial of treatment.

7. You have listed several individuals as defendants. With respect to each of the following individuals, state how you believe he or she violated your federal constitutional rights.

Deputy William Blackmon:

Deputy Barr:

Deputy Patterson:

11. Are you suing the defendants in their individual capacity, official capacity, or both?
Claims against individuals in their official capacities require proof that a policy or custom of the entity violated your rights. Personal capacity claims, on the other hand, are those which allege personal liability for individual actions by officials in the course of their duties.

I CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS COVERED BY
THE VERIFICATION MADE BY ME ON MY INITIAL COMPLAINT.

DAVID K. REIMERS

DATE